



# Northumberland

## County Council

### **Cabinet**

**Date: 10th September 2019**

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Alternative Provision Framework to Support Children Permanently Excluded from School

Report of the Executive Director of Adult Social Care and Children's Services

Cabinet Member for Children's Services: Councillor Wayne Daley

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### **Purpose of report**

The purpose of the report is to request approval to proceed with a tender exercise to create a framework to support the provision of Alternative Education for children of statutory school age. The request is necessary due to the approaching expiry of an existing tender together with a substantial increase in the number of permanent exclusions which has led to increased levels of expenditure.

### **Recommendations**

It is recommended that:

- 1) The content of this report be noted, acknowledging that the underlying issues relating to rising numbers of permanent and fixed term exclusion within Northumberland schools and academies was reported to the Families and Children's Services Scrutiny Committee on the 8th November 2018. This resulted in a task and finish group being established to:
  - Investigate the causes of substantial increases in both fixed and permanent exclusions
  - Identify good practice models both locally and nationally for inclusion.
  - Make recommendations as to where the Council's limited resources should be targeted to have the greatest impact.
- 2) Approval is given to proceed with a tender exercise which will ensure that appropriate contractual arrangements are in place by the 1st January 2020. This will support the Council in fulfilling its statutory duty to ensure that full time

schooling is provided from the 6th school day without committing to an underlying level of expenditure which is driven by demand.

### **Link to Corporate Plan**

This report is relevant to the Council's Corporate Plan 2018-2021, "We want you to achieve and realise your potential".

### **Key issues**

1. Due to the approach of an expiring contract there is a need to undertake a tender exercise in order to create an Alternative Education Framework with effect from the 1st January 2020. Due to a rapid increase in the number of permanently excluded pupils in Northumberland, (209% over the last 3 years), the level of expenditure will necessitate approval from Cabinet. Northumberland is not unique, as these levels of increases are also being reported nationally.
2. This is a statutory service which is demand led meaning that the Council must provide full time schooling for permanently excluded pupils from the 6th school day.
3. The creation of a framework does not in itself commit the Council to expenditure. Instead, it establishes a mechanism to refer young people into services with organisations paid for what they actually deliver with no guaranteed level of income. It follows that actual expenditure varies year on year depending upon levels of demand. The Framework arrangements are proposed for a period of 2 years with the option to extend for a further 2.

### **Background**

The Council is responsible for providing full time, suitable education for every permanently excluded pupil within six days of their exclusion. Students are placed either into the Pupil Referral Unit or into quality-assured alternative education providers. Northumberland does not have a Key Stage 4 Pupils Referral Unit (PRU) or Alternative Provision (AP) Free School and therefore relies solely on Alternative Providers to educate pupils excluded in Year 10 and Year 11.

There is a need to undertake a tender exercise to ensure that robust contractual arrangements are in place following the expiry of the existing contract. In order to join Northumberland's alternative provision framework, providers will go through a rigorous tendering and procurement exercise and be visited annually by a School Improvement Partner with an HMI background.

The framework will cover the provision of both group learning and 1:1 tuition where appropriate and will also be available to schools and academies to use as part of their preventative programmes strategy. (The Council is responsible for paying for provision for permanently excluded pupils however preventative programmes are paid for by schools from their own budgets.)

Alternative Provision must:

- Focus on developing literacy and numeracy or mathematics and English.

- Provide mentoring support to re-engage pupils back into school and build emotional and social resilience.
- Provide age appropriate learning and where necessary one to one support.
- Operate in line with school term dates and have high expectations of behaviour and discipline
- Provide vocational opportunities as appropriate for students age 14 and over.
- Provide frequent opportunities for spiritual, moral, social and cultural development.
- Provide students with strategies to try and address their behaviour/motivation and cope with the demands of mainstream school or college
- Establish appropriately high standards and expectations with students to support reintegration to school e.g. attendance, punctuality, behaviour, dress code, respect for adults, use of language.
- Have the ability to assess individual support needs and refer students for specialist support

### **Financial Position**

The Council is statutorily committed to providing full time education for permanently excluded pupils and is therefore responsible for all associated placements and transport costs.

The budget is funded from the high needs block of the Dedicated Schools Grant with the 19/20 allocation having been increased to £1,300,000. This was increased from £1,123,480 in 18/19 when actual expenditure was £1,568,042 resulting in an overspend of £444,562. As a result of the remedial action taken the number of permanently excluded pupils has begun to decrease year on year.

### **Permanent Exclusions**

The increase experienced in Northumberland mirrors the national trend which has seen a rise in the number of permanent children excluded in both primary and secondary schools. Figures published in July 2019 for the academic year 17/18 suggest that this rise is beginning to slow although Northumberland, like other authorities within the North East, experienced a sharp increase during the same period. The areas with the highest levels of permanent exclusion in 17/18 were the North East, North West and West Midlands. This was followed by a sizeable reduction within Northumberland in 18/19 which suggests that the trend is beginning to be reversed. (National comparators for the same period are not yet available.)

During the visit to Northumberland by the Secretary of State for Education in 2018, Damian Hinds expressed his concerns and was keen to understand why the increases in exclusions have risen so sharply, and what his department could do to reverse this trend. He has also recently warned that he is prepared to change the law in order to crack down on schools with high numbers of exclusions with the aim of addressing the position nationally.

The impact of exclusion is long lasting for a child, having permanent and negative implications on their education as well as on social outcomes and physical and mental health.

## Summary of Permanently Excluded Pupils (PEX) by Gender and Age

Year	Number of PEX	Male	Female	Primary	Secondary
2015-16	41	31	10	0	41
2016-17	75	57	18	6	69
2017-18	116	77	39	8	108
2018-19*	82	55	27	5	77

\*Part year as at 1/7/19

## Implications

<b>Policy</b>	The procedures adopted by the Council for permanently excluded pupils fulfill its statutory duty under the Education Act 1996 section 19(3A) and (3B)
<b>Finance and value for money</b>	The creation of a framework does not in itself commit the Council to expenditure as this is driven by levels of demand. Instead it creates a mechanism by which to make placements that are covered contractually.
<b>Legal</b>	The procedures adopted by the Council for permanently excluded pupils fulfill its statutory duty under the Education Act 1996 section 19(3A) and (3B)
<b>Procurement</b>	Cabinet approval is required as expenditure over the life of the framework will exceed £2M
<b>Human Resources</b>	N/a
<b>Property</b>	N/a
<b>Equalities</b> (Impact Assessment attached) No <input type="checkbox"/>	N/a
<b>Risk Assessment</b>	N/a
<b>Crime &amp; Disorder</b>	Excluded children who are not engaged with a setting are vulnerable to exploitation and grooming by criminal gangs.
<b>Customer Consideration</b>	It is necessary to have a mechanism by which the private sector can be engaged and placements made to ensure that young

	people excluded from school can access full time education from the 6th school day.
<b>Carbon reduction</b>	N/a
<b>Wards</b>	All

**Background papers:**

Report to Families and Children's Services Scrutiny Committee dated 08/11/18:  
Children Permanently Excluded from School

**Report sign off.**

***Authors must ensure that officers and members have agreed the content of the report:***

	Full name of officer
Monitoring Officer/Legal	Liam Henry 15/7/19
Service Director Finance & Interim S151 Officer	Alison Elsdon 05/08/19
Relevant Executive Director	Cath McEvoy-Carr 04/07/19
Chief Executive	Daljit Lally
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